



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Denver, CO 80204

Reply to
Attn. of:

SP 94-C-54

NOV 8 1993

Subject:

"... And Justice for All" Civil Rights Posters and "Religion"

To:

STATE AGENCY DIRECTORS
(Special Nutrition Programs)

- Colorado ED, Iowa, Kansas, Missouri ED,
Montana OPI, Nebraska ED, North Dakota,
South Dakota, Utah and Wyoming ED

The U.S. Department of Agriculture's Civil Rights poster "... And Justice for All," which must be displayed prominently in food service areas where school feeding programs are operated, lists "religion" along with "race, color, sex, age, handicap, . . . or national origin" as one of the bases on which discrimination is prohibited in USDA programs. However, as "religion" does not appear among the classes listed as protected in the nondiscrimination statement which must be included on various notices and forms (e.g. 7 CFR 245.5 (a)(1)(x)), we are asked why our required poster must include it.

It is true that the legislation which establishes the classes which are "protected" under operation of the USDA Food and Nutrition Service Child Nutrition Programs does not include "religion" among the protected classes for Civil Rights purposes. On the other hand, "religion" is a protected class in a number of other Department programs (including the Food Stamp Program), and a determination was made that the Department would have a single Civil Rights poster with language embracing all classes protected under all relevant legislation. Wording has been added at the bottom of the poster stating that protected classes are covered pursuant to Civil Rights laws and regulations applicable to each Federally assisted program. This does not change our existing policy on processing Civil Rights complaints.

As Special Nutrition Programs (SNP--includes all school feeding and milk programs) have no legislative or regulatory jurisdiction to process complaints based on "religion," complaints against SNP based solely on "religion" should be referred to the respective program division to be handled as a program matter. Where multiple bases or protected classes are alleged, such as "religion" or "race," etc., the complaint should be handled as a Civil Rights matter due to the inclusion of the covered protected class(es).

Please call our office if you have any questions.

Ann C. Hector

ANN C. HECTOR
Regional Director
Special Nutrition Programs